



SO ORDERED.

SIGNED this 18 day of April, 2005.

**ROBERT E. NUGENT
UNITED STATES CHIEF BANKRUPTCY JUDGE**

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF KANSAS**

IN RE:

**DAVID GOLDSTEIN,
PEGGY GOLDSTEIN,**

Debtors.

EDWARD J. NAZAR, Trustee,

Plaintiff,

v.

ROBERT McCOMB,

Defendant.

**Case No. 03-15701
Chapter 7**

Adversary No. 04-5052

JUDGMENT ON DECISION

The trustee brought this adversary proceeding to avoid and recover a transfer of \$10,013.72 by

debtor Peggy Goldstein to her father Robert McComb approximately eight months before debtors filed their chapter 7 bankruptcy. The trustee alleged the transfer was a preferential transfer under 11 U.S.C. § 547(b).

The Court finds that the transfer by debtor was not “for or on account of an antecedent debt owed by the debtor” as required by 11 U.S.C. § 547(b)(2). The debtor’s transfer was the return of a gift made by McComb to his daughter. Since it was not on account of an antecedent debt, the transfer was not a preference.

JUDGMENT on the trustee’s complaint is entered in favor of defendant Robert McComb.

IT IS SO ORDERED.

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